

REGULAR MEETING
Tuesday, October 01, 2013
DUBLIN CIVIC CENTER, 100 Civic Plaza
DUBLIN CITY COUNCIL
A G E N D A

- *Agendas and Staff Reports are posted on the City's Internet Website (www.dublin.ca.gov)*
- *Agendas may be picked up at the City Clerk's Office for no charge, or to request information on being placed on the annual subscription list, please call 833-6650.*
- *A complete packet of information containing Staff Reports and exhibits related to each item is available for public review at least 72 hours prior to a City Council Meeting or, in the event that it is delivered to City Councilmembers less than 72 hours prior to a City Council Meeting, as soon as it is so delivered. The packet is available in the City Clerk's Office and also at the Dublin Library.*

REGULAR MEETING 7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ORAL COMMUNICATIONS

3.1. Introduction of New Employee: Lynette Darensburg [\[STAFF REPORT\]](#)

A new member of City Staff will be introduced: Lynette Darensburg, Administrative Analyst II in the Community Development Department / Housing Division.

STAFF RECOMMENDATION:

Welcome new City of Dublin Staff member.

3.2. Acceptance of Donation from the Valley Spokesmen Touring Club [\[STAFF REPORT\]](#)

Dublin Police Services' Crime Prevention Unit received a generous donation from Valley Spokesmen Touring Club. The donation amount of \$1,500 will be used towards the purchase of a cargo utility trailer to assist in the transportation of bicycles and equipment to the different bicycle safety program locations. The Dublin City Council will present Valley Spokesmen with a Certificate of Appreciation for their donation.

STAFF RECOMMENDATION:

Accept the \$1,500 donation, approve the Budget Change and formally recognize the donor.

3.3. Freedom From Workplace Bullies Week [\[STAFF REPORT\]](#)

The City Council will proclaim the week of October 20-26, 2013 as the "Freedom from Workplace Bullies Week" in the City of Dublin.

STAFF RECOMMENDATION:

Present the proclamation.

3.4. Presentation from Alameda County Mosquito Abatement District (District) [\[STAFF REPORT\]](#)

The City Council will receive a presentation from Chindi Peavey, District Manager of Alameda County Mosquito Abatement District, providing an overview of the District.

STAFF RECOMMENDATION:

Receive the presentation.

3.5. Measure B Citizens Watchdog Committee Report [\[STAFF REPORT\]](#)

James Paxson, Chair of the Alameda County Transportation Commission Measure B Citizens Watchdog Committee, will make a presentation on the Measure B Annual Report.

STAFF RECOMMENDATION:

Receive the presentation.

3.6. Mayor's Appointments to New Human Services Commission [\[STAFF REPORT\]](#)

On August 20, 2013, the City Council approved formation of a Human Services Commission. An application period for Commissioners was open from August 21, 2013 through September 20, 2013. In response to the 5 openings, 11 applications were received. The Mayor has recommended 5 residents for these openings.

STAFF RECOMMENDATION:

Confirm the Mayor's appointments to the Human Services Commission or provide other appropriate direction.

3.7. Public Comments

At this time, the public is permitted to address the City Council on non-agendized items. Please step to the podium and clearly state your name for the record. COMMENTS SHOULD NOT EXCEED THREE (3) MINUTES. In accordance with State Law, no action or discussion may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter. Any member of the public may contact the City Clerk's Office related to the proper procedure to place an item on a future City Council agenda. The exceptions under which the City Council MAY discuss and/or take action on items not appearing on the agenda are contained in Government Code Section 54954.2(b)(1)(2)(3).

4. CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the City Council with one single action. Members of the audience, Staff or the City Council who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor to remove the item.

4.1. Minutes of the September 17, 2013 Regular City Council Meeting and the September 24, 2013

Adjourned Regular Meeting [\[STAFF REPORT\]](#)

The City Council will consider approval of the minutes of the Regular City Council meeting of September 17, 2013 and the Adjourned Regular City Council Meeting of September 24, 2013.

STAFF RECOMMENDATION:

Approve the minutes of the Regular City Council meeting of September 17, 2013 and the Adjourned Regular City Council Meeting of September 24, 2013.

4.2. Revisions to the Personnel System [\[STAFF REPORT\]](#)

This Staff Report identifies proposed changes to the City's current Personnel System. The proposed modifications are based on the need to amend the City's medical contribution rate for the 2014 calendar year, to reflect the adoption of the City's retirement contract with the Board of Administration of the California Public Employees' Retirement System (CalPERS) implementing Employee Cost Sharing of Additional Benefits as defined in Section 20516 of the California Public Employees Retirement Law (PERL), and to authorize the City Manager to renew contract services with third party benefit providers (Wageworks, Vision Care Plan, and Delta Dental of California).

STAFF RECOMMENDATION:

Adopt the following Resolutions: (1) **Resolution** Fixing Employer's Contribution Rate Under the Public Employees' Medical and Hospital Care Act; (2) **Resolution** Fixing Employer's Contribution Rate Vesting Requirement for Future Retirees under the Public Employees' Medical and Hospital Care Act; (3) **Resolution** Amending the Benefit Plan; (4) **Resolution** Authorizing the City Manager to Execute Contract Renewal and Amendment with Wageworks To Provide Third Party Administrator Services for Flexible Spending Account Benefit, (5) **Resolution** Authorizing the City Manager to Execute Contract Renewal and Amendment with Vision Services Plan, and (6) **Resolution** Authorizing the City Manager to Execute Contract Renewal and Amendment with Delta Dental of California.

4.3. Partial Acceptance of Improvements for Tract 6765, Schaefer Ranch Unit 1 Phase 2 (Schaefer Ranch Holdings LLC) [\[STAFF REPORT\]](#)

Discovery Builders, dba Schaefer Ranch Holdings LLC, has completed improvements within the future Schaefer Ranch Geologic Hazard Abatement District (GHAD) parcels for Tract 6765, Schaefer Ranch Unit 1 Phase 2 in accordance with their Tract Improvement Agreement. It is now appropriate for the City to accept these improvements.

STAFF RECOMMENDATION:

Adopt **Resolution** Partially Accepting Improvements for Tract 6765 – Schaefer Ranch, Unit 1 Phase 2.

4.4. Fallon Sports Park Phase 2 – Landscape Architectural Services [\[STAFF REPORT\]](#)

Staff is seeking City Council authorization to enter into an agreement with Carducci and Associates, Incorporated to complete the Fallon Sports Park Phase 2 construction documents.

STAFF RECOMMENDATION:

Adopt **Resolution** approving the Agreement with Carducci and Associates, Incorporated; and, authorize the City Manager to execute the Agreement to include base bid services and optional services as approved by the City Council.

4.5. 2013 Development Agreement Review [\[STAFF REPORT\]](#)

Staff has performed the 2013 development agreement review and determined all Developers have complied in good faith and/or are progressing toward full conformance with the terms and conditions of the Development Agreements during the past year. Staff will continue monitoring all of the projects to assure that the Developers are continuing to move towards full compliance.

STAFF RECOMMENDATION:

Adopt **Resolution** Finding that the developers have complied in good faith with the terms and provisions of the following Development Agreements: AMB/Legacy Partners, West Dublin Transit Village; Avalon Bay Site C; Dublin Ranch North; Dublin Ranch Amendment to the Master Agreement; Dublin Ranch Area A-H; Dublin Ranch Supplemental Development Agreement for Areas F, G and H; Fallon Gateway - Target; Gateway Medical Group/Triad; Jordan Ranch; Lennar Brannigan Project; Promenade; Schaefer Ranch South; Sorrento East/SR Structured Lot Options and Amendment; Springfield Montessori; Standard Pacific - Fallon Crossings; Stockbridge/BHV Emerald Place – Green on Park Place; Transit Center Master Development Agreement; Wallis Ranch; and Western Pacific Housing, Transit Center Site E-1; **and** conclude the Annual Development Agreement Review for 2013.

4.6. Jordan Ranch Neighborhood Park – Design Services Agreement [\[STAFF REPORT\]](#)

As part of the 2012-2017 Capital Improvement Program (CIP), the City Council approved the development of a 4.4 acre neighborhood park in the Jordan Ranch Development, designated as project No. 950020 (formerly referred to as the Fallon Village Neighborhood Park). GSM Landscape Architects, Inc. is being recommended as the Landscape Architect to prepare design and construction documents for the project.

STAFF RECOMMENDATION:

Adopt **Resolution** Authorizing the City Manager to execute an Agreement with GSM Landscape Architects, Inc. for design services related to Jordan Ranch Neighborhood Park.

4.7. Designation of Councilmember Kevin Hart and Councilmember David Haubert as City Representatives to Discuss Compensation with the Prospective City Manager [\[STAFF REPORT\]](#)

This item provides for the designation of Councilmember Kevin Hart and Councilmember David Haubert as the City's representatives to discuss terms of the prospective City Manager's contract, including compensation, with the prospective City Manager. The two members would be authorized to meet with the City Council in closed session to seek negotiating instructions and ultimately, if the negotiations are successfully concluded, would report their recommendation to the full City Council in open session.

STAFF RECOMMENDATION:

By motion, designate Councilmembers Hart and Haubert as City Representatives to discuss compensation with the prospective City Manager.

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARINGS

6.1. Iron Horse Nature Park and Open Space Master Plan – Environmental Review and Adoption of Master Plan [\[STAFF REPORT\]](#)

After an extensive public input process, Staff is seeking City Council approval of the Iron Horse Nature Park and Open Space Master Plan as well as adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

STAFF RECOMMENDATION:

Conduct public hearing, deliberate, adopt **Resolution** Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for a General Plan Amendment and Planned Development Rezone with a related Stage 1 and 2 Development Plan for the future Iron Horse Nature Park and Open Space Project; and approve Final Draft Iron Horse Nature Park and Open Space Master Plan.

6.2. Amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.12 (Zoning Districts and Permitted Uses of Land), 8.76 (Off-Street Parking and Loading Regulations), 8.104 (Site Development Review) and 8.116 (Zoning Clearance) and the creation of Chapter 8.82 (Day Care Centers) [\[STAFF REPORT\]](#)

On July 17, 2012, the City Council directed Staff to prepare Zoning Ordinance Amendments to establish a ministerial process for the review and approval of Day Care Centers. Based on the City Council's direction, Staff has prepared a new Zoning Ordinance chapter to regulate the establishment and operation of Day Care Centers. Staff is also proposing other Zoning Ordinance Amendments to: 1) streamline the review and approval of trash enclosures; 2) allow parking exceptions for new or modified trash enclosures; 3) define tutoring centers and establish them as Personal Services (use type); 4) identify language schools and private schools in the School-Commercial (use type); 5) clarify that parking lot restriping is subject to approval of a Site Development Review Waiver; 6) revise the parking requirement for Health Services/Clinics based on a Community Development Director determination; 7) clarify how the height of a retaining wall is measured; 8) allow minor exterior modifications to glass storefronts to be exempt from Site Development Review; 9) minor grammatical corrections and clarifications in the Site Development Review Chapter; and 10) revisions to the Zoning Clearance chapter to establish consistency and clarity among the various types of permits subject to a Zoning Clearance.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate, waive the reading and INTRODUCE an Ordinance approving amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.12 (Zoning Districts and Permitted Uses of Land), 8.76 (Off-Street Parking and Loading Regulations), 8.104 (Site Development Review), and 8.116 (Zoning Clearance) and the creation of Chapter 8.82 (Day Care Centers); **and** adopt **Resolution** amending Resolution 49-06 to revise the adopted fee schedule and add a fee for a Day Care Center Zoning Clearance and remove the current fee for a Day Care Center Conditional Use Permit.

7. UNFINISHED BUSINESS

7.1. Preparation of a Master Plan for the Dublin Pioneer Cemetery [\[STAFF REPORT\]](#)

As part of the Fiscal Year 2013-14 City Council Initiatives, Staff was directed to update the Dublin Historic Park Master Plan, with a focus on the feasibility of expanding the historic Pioneer Cemetery adjacent to Heritage Park. Staff met with the landscape architecture firm of Royston, Hanamoto, Alley & Abey (RHAA) to discuss the project. RHAA previously worked on the project and has significant background material and experience on the Cemetery and adjacent land. RHAA has submitted a proposal to gather input from the community and cemetery stakeholders to prepare the Master Plan Update.

STAFF RECOMMENDATION:

Adopt **Resolution** authorizing the City Manager to execute the proposed Agreement with RHAA to conduct the cemetery expansion feasibility study and prepare a Master Plan for the Dublin Pioneer Cemetery, **and** approve the Budget Change in the amount of \$19,460.

7.2 Schaefer Ranch Park – Acceptance of Park Improvements and Parcels T-1, T-2 and W of Tract 6765 within Schaefer Ranch [STAFF REPORT]

The City has an Agreement with Schaefer Ranch Holdings, LLC that obligates the developer to construct and dedicate the improvements and land for Schaefer Ranch Park. The park was substantially completed in June 2013 and the 90-day maintenance period commenced. The maintenance period was extended due to some problems with plant and turf establishment. The conditions are improving and the maintenance period is nearing completion. Staff is seeking authorization for the City Manager to accept the improvements and open the park to the public pending completion of the remaining remediation work and submission of the necessary project closeout documents. Additionally, a date will need to be chosen for the park dedication event.

STAFF RECOMMENDATION:

1) Authorize the City Manager to negotiate and execute an agreement with Schaefer Ranch Holdings, LLC prior to acceptance of the project for hydro-seeding and maintaining the slopes and any other work being deferred to the warranty period; 2) Adopt **Resolution** authorizing the City Manager to accept the final park improvements and to accept the dedication of Parcels T-1, T-2 and W of Tract 6765, pending completion of the remaining minor remediation work and submission of the necessary project closeout documents by Schaefer Ranch Holdings, LLC; and, 3) Select the preferred date for the park dedication event.

8. NEW BUSINESS – None.

9. OTHER BUSINESS

Brief INFORMATION ONLY reports from Council and/or Staff, including Committee Reports and Reports by Council related to Meetings at City Expense (AB1234).

10. ADJOURNMENT – In memory of Staff Sgt. Sean Diamond and our fallen troops.

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation, please contact the City Clerk's Office (925) 833-6650 at least 72 hours in advance of the meeting.

Mission

The City of Dublin promotes and supports a high quality of life which ensures a safe and secure environment that fosters new opportunities.

Vision

Dublin is a vibrant city committed to its citizens, natural resources, and cultural heritage. As Dublin grows, it will balance history with progress, to sustain an enlightened, economically balanced and diverse community.

Dublin is unified in its belief that an engaged and educated community encourages innovation in all aspects of City life, including programs to strengthen our economic vitality, and support environmental stewardship and sustainability through the preservation of our natural surroundings. Dublin is dedicated to promoting an active and healthy lifestyle through the creation of first-class recreational opportunities, facilities and programs.